

UNAPPROVED MEETING MINUTES CITY OF MILPITAS

Meeting Minutes: Regular Meeting of the Redevelopment Agency
(Including Joint Meeting with the City Council)

Date: Tuesday, December 6, 2005

Time: 7:00 PM

Location: City Hall Council Chambers, 455 E. Calaveras Blvd.

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA1. CALL TO ORDER Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 8:43 PM.

RA2. ROLL CALL **PRESENT:** Mayor/Chair Esteves, Vice Chair/Vice Mayor Gomez and Agency/Councilmembers Giordano, Livengood and Polanski

ABSENT: NONE

RA3. MINUTES Motion: to approve the Redevelopment Agency minutes of November 15, 2005, including joint meeting with the City Council, as submitted.

Motion/ Second: Vice Chair/Vice Mayor Gomez /Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5
NOES: 0

RA 4. Approval of Agenda and Consent Calendar Motion: to approve the agenda and consent calendar

Motion/Second: Agency/Councilmember Polanski/ Vice Chair/Vice Mayor Gomez

Motion carried by a vote of: AYES: 5
NOES: 0

RA 5. Receive Progress Report on Library, and Midtown East Parking Garage, Projects No. 8161 and No. 8162 Redevelopment Project Manager Mark Rogge provided an update on the Library project, currently about one month ahead of the plan. He would start each construction phase a bit earlier, allowing sufficient time for building department review. Mr. Rogge provided information on the expenditures to date.

For the East Parking Garage, the project was moving along according to schedule and expenditures to date. The issue of "way finding" in the garage design was under review, as discussed at the Library Subcommittee. Branded boards (from Blacksmith Shop) will be on display inside the parking garage along side large-scale historic photographs also on display on a garage wall. "Leaping Lena" old fire engine will also be on display in a convenient manner.

A "Midtown Business Preservation Plan" during construction was drafted, as a mechanism to positively maintain the downtown area during construction, including clear signs for visitors arriving in from out of town, fair and safe access to businesses during construction, and other important action steps. Mr. Rogge also identified some site construction preparations underway.

**RA 6. Award Construction
Contract for Building
Demolition and Hazardous
Material Abatement, Projects
No. 8154 and No. 8169**

Councilmember Livengood inquired on the timing of these steps. He felt the Mayor's stated concern was important, that projects have a life of their own, and staying on schedule was important. He appreciated staff completing as many tasks simultaneously as possible with staying focused on the timeline important, but costs were the most critical, he stated. Also, in the past, labor disputes on the City Hall project cost a lot of time and money, so he wished to avoid that on the library project.

Vice Mayor Gomez inquired what brought forth the PLA concept? Mr. Armendariz replied that during labor strikes in the past, one of his recommendations then was to consider these agreements for future projects, similar to what some other cities, such as San Jose, have done on larger building projects.

Motion/Second: Agency/Councilmember Polanski / Vice Chair/Vice Mayor Gomez

Redevelopment Project Manager Mark Rogge described the bid opening held the previous day, December 5, 2005.

(2) Approve an additional construction contingency in the amount of \$25,000, for contract change orders, subject to approval by the City Engineer, subsequently reported to the City Council after approval.

Motion/Second: Agency/Councilmember Livengood/ Vice Chair/Vice Mayor Gomez

RA 7. Receive Report on County Health Center, Approve the existing Main Street Site for the County Health Clinic and Direct Staff to Prepare a Draft Disposition and Development Agreement

He presented the results of findings of the review of alternative sites for the County Health Center (in report pg. 9), as requested by the City Council earlier this year. The list

**(DDA) between the County
and the City**

of services to be provided at a new health center facility was identified, including pharmacy, radiology and other typical services. Demographics were provided that showed areas of the City where the largest number of children resides, and where heavy use of a center was anticipated.

City staff followed through on previous Council direction to consider the possible use of vacant facilities around the City. One challenge will be that the County of Santa Clara government would be held to a higher level of construction requirements, than, for example, Kaiser or any other private health care providers. Conversion of an existing commercial building was the most challenging suggestion.

Staff had reviewed a list of ten sites with county staff of vacant and/or developed lots in Milpitas. Each one was assessed with overall negatives, except one: a site at Alder/ Barber Lane, owned by the Redevelopment Agency. It was compared against the original north Main St. site, with many advantages identified for the north Main St. site.

Milpitas City staff discussed the project overall with the County staff. Outcomes included: the County accepted full responsibility for the design and construction of the parking garage at the county health center, for 275 spaces. The County would lease the parking garage land for \$1 per year for 75 years, with an option to purchase at the end. City Attorney Mattas described some direction possible with regard to instructions to staff for the future option to sell in the agreement made with Santa Clara County.

Councilmember Livengood believed the City had come a long way since the last agreement. Staff mentioned that the previous draft agreement was silent on the land issue. He highlighted changes to the positive: 1) County would construct the parking garage, and 2) previously the plan was to give it away for free, while now the City would maintain ownership of the land worth something. All of these steps helped the taxpayers of Milpitas and this was a great deal, he believed. Mr. Livengood reiterated that the location was right, as it was in the first place.

Staff mentioned that the City would have use of the public parking facility when the County was not using it, such as on weekends and holidays. The County would address the common driveway with the Senior Housing Project at DeVries Place.

Councilmember Polanski thanked the County, stated it was crucial that the clinic come to Milpitas, and that she appreciated County's cooperation with our City staff.

Mayor Esteves asked about the coordination of efforts on the design and aesthetic look of the buildings to remain compatible downtown. Mr. Armendariz responded that the City would work directly with the County on the design guidelines for the downtown redevelopment projects.

MOTION: to approve the existing Main Street site for the location of the new County Health Center, and to direct staff to prepare a draft Disposition and Development Agreement between the County of Santa Clara and the City of Milpitas for the new Health Center, based on the provisions presented and four additional specific provisions:

- (1) to provide coordination with Main St. projects underway,
- (2) the City would serve as the Program Manager for the development of Main St.,
- (3) the Milpitas Planning Commission must have courtesy review and,
- (4) the City would enter into a Project Labor Agreement, to avoid the impact of any potential labor disputes during construction.

Motion/Second: Agency/Councilmember Livengood / Agency/Councilmember Polanski

Motion carried by a vote of:

AYES: 5
NOES: 0

RA 8. Receive Progress Report on Implementation of Midtown Specific Plan

City Engineer Greg Armendariz presented the progress report in the Mid Town Specific Plan area. In the past year, development south of Great Mall Parkway had increased significantly in this area. Public (city and county) and private (mostly residential) projects were proceeding. Project construction timelines were reviewed by staff, for residential developments and streetscape projects.

Vice Mayor Gomez asked about retail development along this corridor, and staff responded about some mixed-use retail development opportunity on Main St. Mr. Gomez also inquired about construction mitigation measures that would be planned. The City Engineer referred to the Business Mitigation Plan, discussed earlier by Mr. Rogge to address those needs in the overall Mid Town area.

Planning Director Tom Williams responded additionally to the question on retail, about which there was a lot of inquiry recently. With more residential building in that area, demand for retail would increase. The Mills Corp., in particular, cared to pay attention to future development in the Transit Area (light rail, BART) around its Great Mall. VTA had expressed its desire for the City to develop high-density residential units in the area, in coordination with the Mid Town Specific Plan.

Landscape setbacks for residential area were essential, as identified by staff. Pedestrian mobility will need attention in the study area, including any overcrossings. An analysis of infrastructure elements must be analyzed as well. Twelve months' initial study would be necessary and following that, twelve months for the Environmental Impact Report.

Mayor Esteves thanked staff for the report, which he had requested. Economic development as a focus was high on the list for the new Economic Development Manager Diana Whitecar, Mr. Armendariz noted.

MOTION: note receipt and file progress report on the implementation of the Midtown Specific Plan

Motion/second: Agency/Councilmember Giordano / Vice Chair/Vice Mayor Gomez

Motion carried by a vote of:

	AYES: 5
	NOES: 0

*** RA 9. Accept RDA Fiscal Year 2004-05 Annual Report**

Note receipt and file the Milpitas Redevelopment Agency Fiscal Year 2004-2005 Annual Report.

*** RA 10. Adopt 3 Resolutions
of the City Council, the
Redevelopment Agency and
Public Financing Authority
Authorizing Investment of
Monies in the Local Agency
Investment Fund**

Adopted the following resolutions authorizing investment of monies in the Local Agency Investment Fund:

City Council Resolution No. 7566
Redevelopment Agency Resolution No. RA 247
Public Financing Agency Resolution No. PFA No. 10

*** RA 11. Authorize the City Manager to Execute An Agreement Amendment: Harris & Associates, Milpitas Library Off Site Utility Improvements, Project 8153**

Authorized the City Manager to execute the agreement amendment with Harris and Associates in the amount not to exceed \$30,000, subject to approval as to form by the City Attorney.

*** RA 12. Authorize the City Manager To Execute an**

Authorized the City Manager to execute the agreement amendment with BKF Engineers, in an amount not to exceed \$40,000, subject to approval as to form by the City Attorney.

**Agreement Amendment: BKF
Engineers, No Main St Utility
Improvements, Project No.
8153 and Telecommunications
Infrastructure, Project 8093**

RA 13.

Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 9:49 PM.

ADJOURNMENT

Minutes respectfully submitted by:

**Mary Lavelle
Agency Secretary / City Clerk**